

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

_____)	
SCANSOFT, INC.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 04-10353-PBS
)	
VOICE SIGNAL TECHNOLOGIES, INC.,)	
LAURENCE S. GILLICK, ROBERT S.)	
ROTH, JONATHAN P. YAMRON, and)	
MANFRED G. GRABHERR,)	
)	
Defendants.)	
_____)	

**VOICE SIGNAL TECHNOLOGIES' MEMORANDUM
IN OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE
VOICE SIGNAL'S CLAIM CONSTRUCTION BRIEF**

This memorandum is filed in opposition to Plaintiff's Motion To Strike Defendant's Overlong Brief Regarding The Claim Construction Of The '966 Patent.

Having filed a 20-page brief, a 9-page reply brief, and a 25-minute video presentation in support of ScanSoft's claim construction positions regarding the '966 patent, ScanSoft argues that Voice Signal's claim construction memorandum should be stricken because it is thirty-four pages long.

ScanSoft's motion should be denied. ScanSoft states that Voice Signal has violated Local Rule 7.1(B)(4). In fact, there is no rule that limits the length of a Markman brief. ScanSoft's motion is based upon an intentional misquotation of the relevant rule. Local Rule 7.1 is addressed to motions, not Markman briefs. Rule 7.1(B)(4) states:

Memoranda supporting or opposing allowance of *motions* shall not, without leave of court, exceed twenty (20) pages, double-spaced.”

Compare the purported quotation of Rule 7.1(B)(4) at ScanSoft Mem., p. 3. Indeed, a blanket rule limiting the length of Markman briefs would be inadvisable in view of the variety of technologies, patents and issues presented by many claim construction disputes.

In any event, the aggregate amount of material submitted to the Court by ScanSoft in support of its '966 claim construction positions significantly exceeded the aggregate amount of material filed by Voice Signal. In the circumstances, there has been no unfairness to ScanSoft.

ScanSoft’s motion is unworthy. It should be denied.

Respectfully submitted,

VOICE SIGNAL TECHNOLOGIES, INC.

By its attorneys,

/s/ Paul E. Bonanno

Robert S. Frank, Jr. (BBO No. 177240)
Sarah Chapin Columbia (BBO No. 550155)
Paul D. Popeo (BBO No. 567727)
Paul E. Bonanno (BBO No. 646838)
Wendy S. Plotkin (BBO No. 647716)
CHOATE, HALL & STEWART
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

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